THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

TAKEN UP WRIT PETITION NO.23281 OF 2007

Date: 19.11.2007

Between:

Smt. Madakam Jogamma … Petitioner

And

The Station House Officer,
Rampachodavaram, East Godavari District
and others. … Respondents.

ORAL ORDER: **(per A. Gopal Reddy, J)**

Telegram dated 30.10.2007 sent by the petitioner Smt. Madakam Jogamma Wife of Govindu, resident of Anampalli Village, Rampachodavaram Mandal, East Godavari District to the Hon'ble the Chief Justice alleging that one tribal by name Revula Rami Reddy S/o Abbai Reddy of Yarlamamidi Village was illegally detained by the Station House Officer, Rampachodavaram P.S. and was not produced before the jurisdictional Magistrate, was taken up as a writ of habeas corpus and notices were issued to the respondents.

On receipt of notices, the 1st respondent – Sub-Inspector of Police, Rampachodavaram Police Station has filed a counter-affidavit together with the statement of the alleged detenu recorded

by the Tahsildar and Agency Munsif and Mandal Second Class Magistrate, Rampachodavaram. In the counter it is stated that except calling the alleged detenu to the police station on 28.10.2007, he was never detained by the police and he was moving freely by attending to his day to day work.

In the statement recorded by the Mandal Executive Magistrate, the alleged detenu stated that in search of his livelihood he went to the house of his cousin brother Lachireddy at Rampachaodavaram, that as Lachireddy promised him to provide employment and as he was also not well at that time he stayed at the house of Lachireddy for four days, that on the evening of 1.11.2007 he returned back to his house and then he came to know that the petitioner sent a telegram to the Hon'ble High Court apprehending danger to him under the mistaken impression that the police had taken him away and was illegally detained, that he was not detained by the police and the petitioner sent the telegram as she was not aware of the fact that he was staying at Rampachodavaram.

In view of the categorical statement made by the alleged detenu recorded by the Mandal Executive Magistrate that he was never detained by the police and that he went to Rampachodavaram on his own in search of employment and stayed back thereat for some days, there is no truth in the allegations made in the telegram sent by the petitioner that the alleged detenu was illegally detained by the police. Therefore, the writ petition fails and it is accordingly dismissed.

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A. GOPAL REDDY, J

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19th November, 2007 **NOOTY RAMAMOHANA RAO, J**

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